

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MONETTE ROCKYMORE,

Plaintiff,

VS.

EUROFINS VRL, INC., VRL-EUROFINS  
DENVER CORPORATE, VRL-EUROFINS  
PRE-TRANSPLANT TESTING, EUROFINS,  
EUROFINS NSC US, EUROFINS DPT SAN  
RAMON, BRENDEN O'NEALE, SARA  
DIONNE, ROHINI RATNAM, AND DOES 1  
TO 100,

Defendants.

Case No. 3:22-cv-00176-TLT

**JOINT ~~[PROPOSED]~~ ORDER RE:  
SEPTEMBER 20, 2022 DISCOVERY  
CONFERENCE**

Removal Date: January 11, 2022  
Complaint Filed: December 6, 2021  
FAC Filed: May 10, 2022  
Trial Date: None Set

On September 20, 2022, Magistrate Judge Robert Illman held a discovery conference regarding Defendant Eurofins Donor & Product Testing, Inc.’s (“Eurofins DPT”) responses to Plaintiff Monette Rockymore’s requests for production (set one) nos. 53, 56, and 57. Bryan Kirsh appeared remotely on behalf of Plaintiff. Aaron M. Rutschman appeared remotely on behalf of Eurofins DPT.

Judge Illman agreed that Eurofins DPT's offer to produce all communications between Plaintiff and the individuals identified in Eurofins DPT's Rule 26 initial disclosures related to Plaintiff's claims and Eurofins DPT's defenses was a reasonable compromise and would satisfy Eurofins DPT's discovery obligations with regards to request nos. 53, 56, and 57.

Subsequent to the September 20, 2022 discovery hearing, however, Plaintiff propounded requests for production (sets two and three) to Eurofins DPT requesting the production of documents responsive to various ESI searches. The Parties have conferred and agree that Eurofins DPT's discovery obligations will be satisfied with regard to Plaintiff's requests for production (set one) nos. 53, 56, and 57, (set two) in its entirety, and (set three) in its entirety, if it performs the following ESI searches for all electronic mail sent to or from Plaintiff, Brendan O'Neale, Sara Dionne, Rohini Ratnam, Melanie Nixon-Stillman, Christian Dagani, and Rod Hale, for the time period of January 1, 2020 to October 1, 2020, and produces responsive documents:

1. ("Employ!" W/3 "End") W/15 ("Monette" OR "Rocky!")
2. ("Time" W/3 "Go") W/15 ("Monette" OR "Rocky!")
3. ("Fire") W/15 ("Monette" OR "Rocky!")
4. ("Layoff" OR "Lay-off" OR "Laid" W/3 "Off") W/15 ("Monette" OR "Rocky!")
5. ("investiga!") W/15 ("Monette" OR "Rocky!")
6. ("Terminat!") W/15 ("Monette" OR "Rocky!")
7. ("Separat!") W/15 ("Monette" OR "Rocky!")
8. ("Let go") w/15 ("Monette" OR "Rocky!")
9. ("Grounds" w/3 "Termination") w/15 ("Monette" OR "Rocky!")
10. ("Eliminate" OR "Remove") W/15 ("Monette" OR "Rocky!")
11. ("Lab Manager" OR "Laboratory Manager") W/15 ("Monette" OR "Rocky!")
12. ("Warning") W/15 ("Monette" OR "Rocky!")
13. ("write up" OR "write-up" OR "written up") W/15 ("Monette" OR "Rocky!")
14. ("Complain!") W/15 ("Monette" OR "Rocky!")

15. (“Harass!” OR “Discrim!” OR “Work Environment”) W/15 (“Monette” OR “Rocky!”)
16. (“medical condition” or “illness” or “health”) W/15 (“Monette” OR “Rocky!”)
17. (“sick” or “fever” or “disability”) W/15 (“Monette” OR “Rocky!”)
18. (“doctor” or “medical!”) W/15 (“Monette” OR “Rocky!”)
19. (“leave”) W/15 (“Monette” OR “Rocky!”)
20. (“Monette” OR “Rocky!”) W/15 (“replace!”)
21. (“Monette” OR “Rocky!”) W/15 (“retaliat!”)
22. (“Monette” OR “Rocky!”) W/15 (“HR” OR “Human Resources”)
23. (“Monette” OR “Rocky!”) W/5 (“absent” OR “absence”)
24. (“Monette” OR “Rocky!”) W/5 (“vacation”)
25. (“Monette” OR “Rocky!”) W/15 (“CFRA” or “FMLA”)
26. (“Monette” OR “Rocky!”) W/15 (“Sun Life”)

The Parties agree that Eurofins DPT is entitled to redact documents and to withhold documents on the basis of relevance and/or any applicable privilege. If any documents are withheld on the basis of any privilege, Eurofins DPT will produce a privilege log. Plaintiff is entitled to challenge Eurofins DPT’s redactions and withholding of documents on the basis of privilege as she deems appropriate.

Pursuant to the Parties’ agreement, Eurofins DPT is hereby ordered to produce responsive documents, consistent with the search parameters above, by **November 4, 2022**. The Parties are permitted to agree to an extension of this deadline to a mutually agreeable date.

**IT IS SO ORDERED.**

Dated: October 7<sup>th</sup>, 2022

  
 THE HONORABLE ROBERT ILLMAN  
 UNITED STATES MAGISTRATE JUDGE